

REMARKS

The Examiner is thanked for the due consideration given the application. The specification has been amended to insert headings.

Claims 1 and 3-19 are pending in the application. The allowability of claims, 6, 8, 10, 12, 18 and 19 is noted with appreciation. Claims 2 and 3 have been canceled and their subject matter has been generally incorporated into claim 1. Allowable claims 6, 8, 12 and 19 have been amended to stand as independent claims. Claims 4, 5, 7, 9-11, and 13-18 have been amended to improve their language and antecedent basis in a non-narrowing fashion.

No new matter is believed to be added to the application by this amendment.

Rejection Under 35 USC §112, Second Paragraph

Claims 5, 6 and 8-10 have been rejected under 35 USC §112, second paragraph as being indefinite. This rejection is respectfully traversed.

The Official Action asserts that the recitation of "the grooves" have insufficient antecedent basis. However, the claims have been amended to be clear, definite and have full antecedent basis.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

Rejection Over BARTH

Claims 1-5, 9, 11, 16 and 17 have been rejected under 35 USC §102(b) as being anticipated by BARTH (U.S. Patent 3,944,252). This rejection is respectfully traversed.

The present invention pertains to a grooved single piece weight to be hitched to an agricultural tractor lifting device. The weight of the present invention and its groove structure is illustrated, by way of example, in Figures 1 and 4-6 of the application, which are reproduced below.

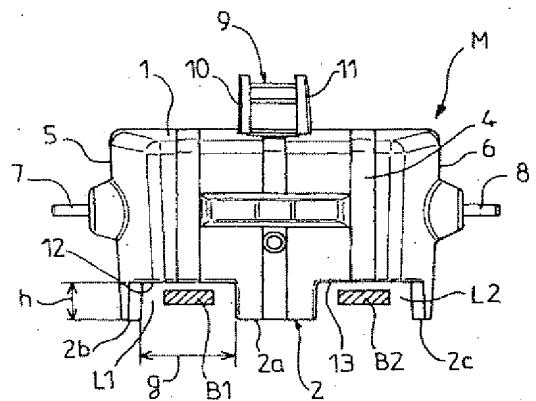


FIG.1

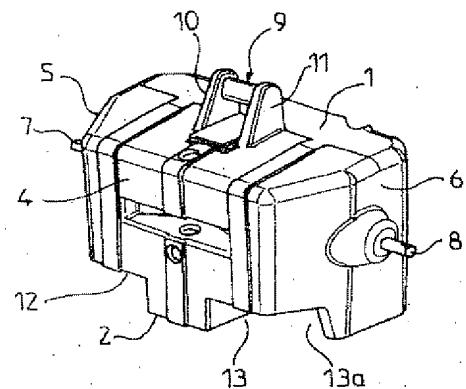


FIG.4

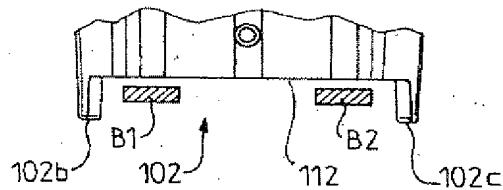


FIG.5

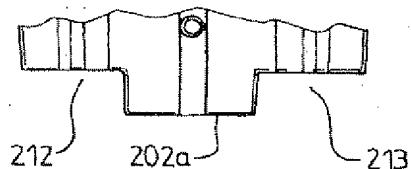
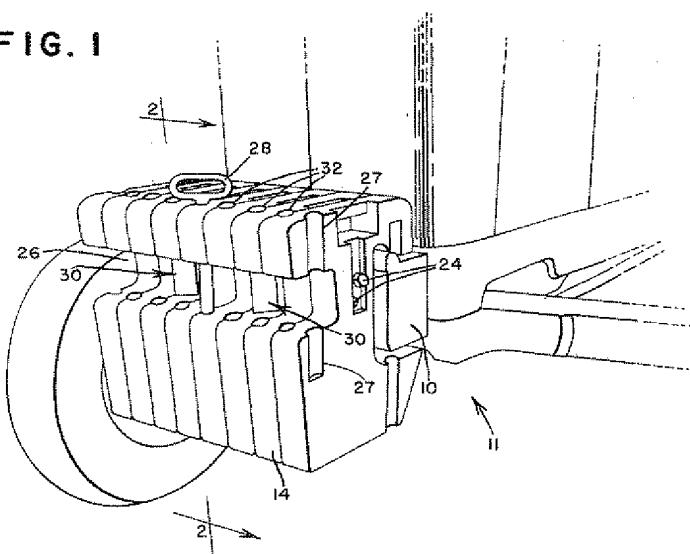


FIG.6

Instant claim 1 of the present invention recites: "the housing (L1, L2) comprising at least one recessed portion (12, 13; 112; 212, 213) of the bottom of the weight, the recessed portion comprising at least one groove (12, 13; 112; 212, 213) extending from one edge of the bottom and emerging at at least one end."

BARTH pertains to a tractor front end weight assembly. Figure 1 of BARTH (utilized in the Official Action) is reproduced below.

FIG. I



The weight of BARTH is not a single piece (having a mass of several hundred kilograms), as in the present invention, but is formed from multiple weights, 14 of which are gathered together. Each weight of BARTH has a "jerrycan" shape and is manually handled.

The grooves of BARTH are vertical grooves. Two adjacent vertical grooves form a cylinder through which passes a shaft, thus preventing separation of the weights from their support. To set these weights on an agricultural tractor, it is necessary to execute a downward movement.

These weights cannot be caught by a tractor moving forward.

The weight grooves, according to BARTH, do not allow the weight to be lifted and handled by at least one lift prong.

Reference numeral 10 of BARTH concerns an elongate base weight (column 1, lines 53-54). Reference numeral 17 of BARTH

concerns a split pin 17 which holds the centering pin 16 (col. 1, lines 64-65).

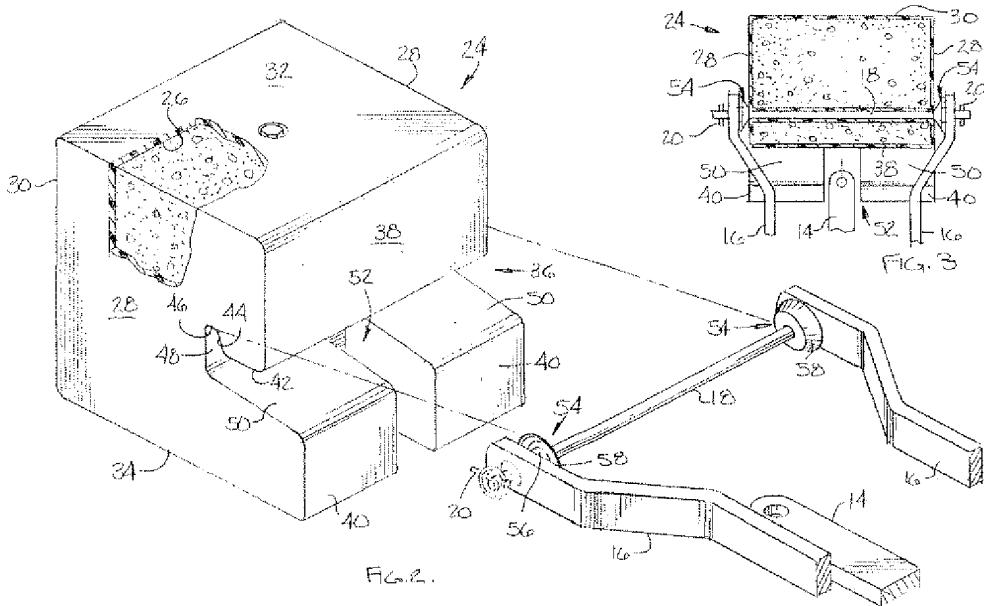
BARTH thus fails to disclose a single weight having the groove structure claim 1 of the present invention. BARTH thus fails to anticipate claim 1 of the present invention. Claims depending upon claim 1 are believed to be patentable for at least the above reasons.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

Rejection Over DENBY et al.

Claims 1-3, 5, 7, 9, 11, 13-15 and 17 have been rejected under 35 USC §102(b) as being anticipated by DENBY et al. (U.S. Patent 6,533,319). This rejection is respectfully traversed.

DENBY et al. pertain to a ballast attachment for a tractor three-point hitch. Figures 2 and 3 of DENBY et al. are reproduced below.



The single piece weight of DENBY et al. is not provided on each side face with a transverse eye-bolt or spindle forming a means of engagement for the usual "hands" of a tractor lifting device. In contrast, claim 1 of the present invention recites "a transverse eye-bolt or spindle."

The front side of the DENBY et al. weight is formed from a female transverse part, and the lower part projects beyond the front side to prevent a rotation of the weight, by abutment against the lifting arms. To lift the weight, it is necessary to provide a specific bar 18, forbidding the use of universal forks for moving the weight.

The lower opening 52 of DENBY et al. is not an inverted U for receiving a lifting prong. This opening 52 is provided for freeing the drawbar 14 when the weight is set on the tractor. The opening 52 is not open on the back face 30 of the weight.

DENBY et al. thus fail to disclose the groove structure of the present invention.

DENBY et al. thus fail to disclose all the elements of claim 1 of the present invention. DENBY et al. thus fail to anticipate claim 1 of the present invention. Claims depending upon claim 1 are patentable over DENBY et al. for at least the above reasons.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

Allowable Subject Matter

The Examiner is thanked for indicating the allowability of claims 6, 8, 10, 12, 18 and 19. The claim set has been amended to render these claims instantly allowable.

Conclusion

The Examiner is thanked for considering the Information Disclosure Statement filed July 5, 2006 and for making an initialed PTO-1449 Form of record in the application.

Prior art of record but not utilized is believed to be non-pertinent to the instant claims.

It is believed that the rejections have been overcome, obviated or rendered moot and no issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

Charge the fee of \$210 for the two independent claims added herewith to our credit card.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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